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June 2, 2003

Mary L. Cottrell, Secretary
MASSACHUSETTS DEPARTMENT OF
TELECOMMUNICATIONS AND ENERGY
One South Station, 2nd Floor
Boston, Massachusetts 02110

Re: *Fibertech v. Verizon, et al., D.T.E. 03-56*

Dear Secretary Cottrell:

Fiber Technologies Networks, L.L.C. ("Fibertech") seeks additional time to respond to the motions to dismiss its Amended Complaint filed by Verizon New England, Inc. ("Verizon") and Western Mass Electric Company ("WMECO") to permit the filing of responses to all motions to dismiss in a single simultaneous pleading.

The motions by Verizon and WMECO were filed on Wednesday, May 28, 2003. Pursuant to 220 C.M.R. 102(4) and 104(5)(c), a response therefore is due Wednesday, June 4, 2003. Massachusetts Electric Company ("MECO") also is a party, but was not served until Tuesday, May 27, 2003. A responsive pleading therefore is not due pursuant to 220 C.M.R. 45.06(4) until June 16, 2003.

Given the parallel motions by Verizon and WMECO, it is likely that MECO also will move to dismiss. It will be more expeditious for both the Department and Fibertech for Fibertech to address all of the motions to dismiss in a single opposition rather than in a series with one set of responses, followed by another motion and response. Moreover, counsel for Fibertech have meetings scheduled on Tuesday, June 3, Wednesday, June 4, and Thursday, June 5, 2003, in the New York Public Service Commission's Case 03-M-0432 ("Proceeding on Motion of the Commission Concerning Certain Pole Attachment Issues").

Accordingly, Fibertech asks that the time to respond to the motions to dismiss filed by Verizon and WMECO be extended to the date that a response is due to a motion to dismiss filed by MECO and, if no such motion is filed, to five days following MECO's service of a reply to Fibertech's complaint.

Respectfully submitted,

Robert T. Witthauer
Deputy Corporate Counsel

cc: Service List